



Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Fifteenth Meeting Day

Monday Afternoon

February 6, 2006

The Senate convened at 1:33 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

| | |
|--|---|
| Alting | Long |
| Becker | Lubbers |
| Bowser | Lutz |
| Bray | Meeks |
| Breaux | Merritt |
| Broden | Miller |
| Craycraft | Mishler |
| Delph | Mrvan |
| Dillon | Nugent |
| Drozda | Paul |
| Ford | Riegsecker |
| Gard | Rogers |
| Garton | Simpson |
| Harrison | Sipes <input checked="" type="checkbox"/> |
| Heinold | Skinner |
| Hershman <input checked="" type="checkbox"/> | Smith |
| Howard | Steele |
| Hume | Tallian |
| Jackman | Waltz |
| Kenley | Waterman |
| Kruse <input checked="" type="checkbox"/> | Weatherwax |
| Lanane | Wyss |
| Landske | Young, M. |
| Lawson | Young, R. |
| Lewis | Zakas |

Roll Call 177: present 47; excused 3. [Note: A ☒ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1006 — Lubbers, Drozda (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1008 — Meeks (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation and to make an appropriation.

HB 1011 — Lawson, Breaux (Elections and Civic Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1025 — Drozda (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1028 — Nugent, Steele (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning firearms and self-defense.

HB 1056 — Merritt (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1062 — Lawson (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1081 — Becker, Alting (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1089 — Lanane (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1093 — Wyss, Sipes, Garton, Steele (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning school safety.

HB 1097 — Miller (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1108 — Long (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1110 — Gard (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1112 — Kenley, Bray (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1113 — Bray (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1117 — Gard (Energy and Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1123 — Becker, Lawson, Simpson (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1124 — Drozda, Hershman (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1128 — Wyss (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1136 — Long, Simpson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1138 — Weatherwax, Lewis, Dillon (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1140 — Long, Wyss (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1155 — Long, Becker, Simpson (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1158 — Bray, Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1173 — Ford (Economic Development and Technology)

A BILL FOR AN ACT concerning professions and occupations.

HB 1176 — Nugent, Waterman, Delph (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1190 — Weatherwax (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1203 — Bray, Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1212 — Ford (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning

local government.

HB 1214 — Long, Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1220 — Meeks, Craycraft (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

HB 1222 — Long, Kenley, Zakas, Broden (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1227 — Nugent, Becker, Sipes (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1232 — Bray, Ford (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1235 — Miller, Breaux, Wyss, Sipes (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1236 — Wyss, Alting, Craycraft (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1239 — Long (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1240 — Lubbers, Riegsecker (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1259 — Steele, Hume (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning economic development.

HB 1266 — Ford, Long (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1267 — Harrison (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning employment.

HB 1281 — Lubbers, Broden (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1285 — Heinold, Weatherwax, Hershman (Energy and Environmental Affairs)

A BILL FOR AN ACT concerning renewable energy.

HB 1286 — Waterman, Lewis, Hume, Merritt (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1287 — Landske (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

HB 1306 — Long, Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1315 — Landske, Sipes (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1318 — Kruse (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1323 — Kruse, Heinold (Commerce & Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1329 — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1331 — Weatherwax, R. Young (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1332 — Weatherwax (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning the environment.

HB 1338 — Lubbers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1344 — Becker, Lutz (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT concerning local government.

HB 1367 — Long, Bray (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1368, 1378, 1395, 1396, 1397, 1414, 1415, 1420 and Senate Joint Resolution 3 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 27

Senate Concurrent Resolution 27, introduced by Senator Nugent:

A CONCURRENT RESOLUTION recognizing the sesquicentennial celebration of the town of Sunman in 2006.

Whereas, In 1856, the town of Sunman was founded in Ripley County in southeastern Indiana;

Whereas, In celebration of the 150th anniversary of its founding, Sunman has planned a variety of events, including a Civil War reenactment and encampment, a queen contest, and a beard judging contest;

Whereas, On September 2, 2006, the celebration will culminate with a flag raising and monument unveiling following the sesquicentennial parade at noon; and

Whereas, Sunman's sesquicentennial celebration has been scheduled to coincide with the Sunman Wine and Fireworks Festival: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. The Indiana General Assembly honors the town of Sunman on the one hundred fifty year anniversary of its founding.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Sunman Town Board members Wayne Jenner, John Campbell, and Mike Wolffe.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Duncan.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1040

Senator Kenley called up Engrossed House Bill 1040 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1134

Senator Landske called up Engrossed House Bill 1134 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 7, 2006.

GARTON

Motion prevailed.

February 6, 2006

Senate 343

The Senate adjourned at 1:46 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate